

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12613 of Amy N.B. Goldstein, et al, pursuant to Sub-section 8207.2 of the Zoning Regulations for a special exception under Paragraph 4101.41 to continue the use of a parking lot in the SP District at the premises 1114-1116 13th Street, N.W. (Square 247, Lot 852).

HEARING DATE: April 19, 1978

DECISION DATE: May 3, 1978

FINDINGS OF FACT:

1. The subject property is located in an SP district at 1114-1116 13th Street, N.W.
2. The property is currently operating as a parking facility pursuant to this Board's previous Order 11150, dated February 5, 1973.
3. The applicant proposes the continuation of this facility as a commercial lot.
4. The lot is currently operated by the Atlantic Garage Corporation from 8:00 a.m. to 6:00 p.m. as an attended facility.
5. The subject property is approximately 5,856 square feet in area, and has a capacity for twenty-three vehicles.
6. Immediately adjoining the lot to the south are a three and two story building used as offices and Exxon Service Station at 13th and L Street. Immediately to the north is a small cocktail lounge. To the east on the opposite side of 13th Street is the site of a modern ninety foot apartment building. To the west behind the site and separated by an alley is another parking lot.

7. The applicant testified that he has no immediate definitive plans to develop this site.

8. The Municipal Planning Office, by report dated April 13, 1978, recommended approval of this application on the grounds that the continued use of the parking lot will not adversely affect the present character or future development of the area. The Board so finds.

9. Advisory Neighborhood Commission-2C filed no report on this application.

10. The Department of Transportation, by memorandum dated April 20, 1978, recommended that approval of the lot not exceed a four year period, so that the accessibility by mass transit could be reviewed again at that time.

11. At the public hearing of this application the Dupont Circle Citizens Association, not a party to the application, registered opposition to the application on the general grounds that it oppose all SP Parking lots. The Board finds that each case must be judged on its own facts, and that the Dupont Circle Citizens, Association gave no indication of the reasons why this particular lot is objectionable.

CONCLUSIONS OF LAW AND OPINION:

Based on the above Findings of Fact and the evidence of record, the Board concludes that the continued use of this parking facility is not likely to become objectionable to nearby or adjoining property because of noise, traffic or other objectionable conditions, nor will it adversely affect the present character or future development of this neighborhood. It is therefore ORDERED that this application is hereby GRANTED SUBJECT to the following CONDITIONS:

a. Approval shall be for a period of three (3) years which shall be subject to renewal at the discretion of the Board upon the filing of a new application in the manner prescribed by the Zoning Regulations.

b. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.

c. An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.

d. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.

e. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.

f. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.

g. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.

h. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

i. Landscaping plans must be approved by the Department of Highway and Traffic.

j. Use of this lot is restricted to private automobiles. No commercial vehicles or trucks.

VOTE: 4-0 (Charles R. Norris, Chloethiel Woodard Smith, William F. McIntosh and Leonard L. McCants, Walter B. Lewis not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: \_\_\_\_\_

STEVEN E. SHER

Executive Director

FINAL DATE OF ORDER: 24 MAY 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.